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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,997	01/28/2004	Antoine De Lamberterie	1948-4834	5030

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EXAMINER


DUNWIDDIE, MEGHAN K

ART UNIT PAPER NUMBER

2875

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/766,997	DE LAMBERTERIE, ANTOINE	
	Examiner	Art Unit	
	Meghan K. Dunwiddie	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/07/2005</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This Office Action is a Non-Final Rejection in response to the application filed on January 30, 2003 by **De Lamberterie**.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on February 7, 2005 is in compliance with the provisions of 37 CFR 1.97, accordingly, have been considered by the examiner.
3. The patent issued to **Windross** on March 15, 1994 has an incorrect patent number. The patent number should be 5,295,047.

Drawings

4. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Figures 1-3 appear to be labeled as Prior Art, but they are not labeled in such a way in English.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "26" has been used to designate both "rear light diffusion segment" and "optical axis" [See page 10].

6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "34" has been used to designate both "top segment" and "rear peripheral portion" [See page 14].

7. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the "rear peripheral portion 24" in Figures 8 and 9 as described on pages 14 and 15 of the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

8. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

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of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

9. The disclosure is objected to because of the following informalities:
 - The title should be "Light guide equipped with reflectors".
10. Appropriate correction is required.

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "of the type" is vague and indefinite because it does not distinctly point out of what type.

13. Claim 1 recites the limitation "reflector line" in line 3 of the 3rd paragraph of Claim 1. There is insufficient antecedent basis for this limitation in the claim. Claims 2-12 depend on rejected parent Claim 1 and as such are similarly rejected.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by

Windross (US 5295047).

15. In reference to Claim 1, **Windross** shows a lighting or signaling device [Figure 1: (12)], in particular for a motor vehicle, which comprises:

- A light guide [Figure 1: (16)] at least one portion of which is generated by the movement of a roughly circular vertical transverse elementary section [Figure 1: (25)] along a director line [Figure 1: (A)], the contour of the elementary section [Figure 1: (25)] comprising a front peripheral lighting portion [Figure 1: (16B)] and a rear peripheral portion [Figure 1: (16C)] which comprises a rear principal optical axis [Figure 1: (A)] with a transverse direction which extends from rear to front from the diffusion segment as far as the front peripheral portion [Figure 1: (16B)];
- And a light source [Figure 1: (14)] emitting light rays which enter the light guide [Figure 1: (16)] through at least one end face [Figure 1: (24)] so as to be channeled by the light guide [Figure 1: (16)];
- Of the type in which the channeled light rays propagate in the light guide [Figure 1: (16)] by successive total reflections in the general direction of the reflector line, and in which the channeled light rays reaching the rear diffusion segment are diffused, the rays diffused towards the rear emerging outside the length, and the rays diffused towards the inside of the guide included in a given solid angle

around the principal optical axis [Figure 1: (A)] being refracted through the front lighting portion [Figure 1: (16B)] of the length,

- At least one reflector [Figure 1: (26)] which redirects forward the light rays which emerge from the elementary section [Figure 1: (25)] through its rear peripheral portion [Figure 1: (16C)];
- And a rear reflector [Figure 2: (26')] which is situated opposite the rear diffusion segment [Figure 1: (16C)] along the principal optical axis [Figure 1: (A)] and reflects towards the inside of the elementary section [Figure 1: (25)] the rays diffused towards the rear so that they are refracted through the front peripheral portion [Figure 1: (16B)].

16. In reference to Claim 2, **Windross** shows:

- A plane perpendicular to the director line [Figure 1: (A)], the rear reflector [Figure 1: (26)] has a shape such that the rays emitted by the rear light-diffusing segment [Figure 1: (16B)] which it reflects are refracted by the elementary section [Figure 1: (25)] so as to emerge from the front peripheral portion [Figure 1: (16C)] substantially parallel to the principal optical axis [Figure 1: (A)].

17. In reference to Claim 3, **Windross** shows:

- The rear reflector [Figure 1: (26)] reflects the rays diffused towards the rear in a convergent fashion towards the rear diffusion segment [Figure 1: (16B)].

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18. In reference to Claim 4, **Windross** shows:

- The rear reflector [Figure 1: (26)] has a vertical transverse elementary section [Figure 1: (25)] in the form of an arc of a circle [Figure 1] whose center is arranged globally on the rear diffusion segment [Figure 1: (16B)].

19. In reference to Claim 5, **Windross** shows:

- The rear reflector [Figure 2: (26')] consists of a layer of reflective material which covers the external surface of the rear diffusion segment [Figure 1: (16B)].

20. In reference to Claim 6, **Windross** shows:

- The rear reflector [Figure 1: (26)] reflects the rays diffused towards the rear in a convergent fashion towards the rear diffusion segment [Figure 1: (16B)], and wherein the front peripheral portion [Figure 1: (16C)] forms a convergent lens [Figure 2: (20')] whose object focus is approximately arranged on the rear diffusion segment [Figure: (16B)].

Allowable Subject Matter

21. Claims 7-12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meghan K. Dunwiddie whose telephone number is (571) 272-8543. The examiner can normally be reached on Monday through Friday 8 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKD


Stephen Husar
Primary Examiner